

[FROM THE IOWA HISTORICAL RECORD FOR JANUARY, 1894.]

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GATHERED FROM THE  
RECORDS OF CONGRESS,

BY  
ELIZABETH H. AVERY,  
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IOWA CITY, IOWA.  
H. L. THROOP & CO., PRINTERS.

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THE deplorable fact that much of the original material for the study of Iowa history, especially in the earlier years, has been allowed to disappear, makes a careful investigation of everything accessible doubly important. The most readily available sources of information are probably the Congressional records, and from them the facts presented in this paper are almost exclusively drawn. It will be at once apparent, therefore, that a full, symmetrical presentation has not been attempted. At almost every step the work needs to be supplemented with facts drawn from other sources. The discussion in Congress as to granting the desired boundaries to the State is no more valuable than the discussion in Iowa on the same subject. Much light would perhaps be thrown on the action of Congress, if we could know all the reasons on which the people of the would-be state grounded their demand for the Missouri as their western boundary.

Again, the opinions of Iowa Senators expressed in Congress would have more (or less) weight, if we could know to what extent they were endorsed by their constituents. Whether material anywhere exists for the elucidation of some of these points is doubtful. If it does, it is much to be desired that it should be brought to light and a careful study of it be made. At least in the absence of much that would be worth knowing, it is worth while to learn all that we may.

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The references in this paper unless otherwise specified, are to the Congressional *Globe* and its successor the *Record*, for the specified sessions.

In the autumn of 1844 a Constitutional Convention met at Iowa City and framed a constitution which was speedily submitted to Congress together with a memorial, setting forth that the Territory had attained a population of more than 80,000, and expressing their expectation of an early admission under the guarantees of the treaty with France. The enabling act passed by Congress March 3, 1845, made certain changes in the boundaries and rejected some of the propositions of the ordinance appended to the Constitution. The people, however, refused to ratify the Constitution as thus amended, but the work of the second convention which met in 1846 was accepted by Congress and ratified by the people. This bare outline of the steps by which Iowa became a state, is familiar to every one, being found in all the county histories, but the story of the boundary disputes preceding her admission, though much more interesting, is less generally known.

The boundaries demanded for the State in the Constitution of 1844 were substantially those finally granted, except that from the mouth of the Sioux the northern boundary line was to run north-east to about the present location of Mankato, Minn., thence along the Minnesota River—then called St. Peter's—to the Mississippi River.

(See U. S. Ex. Doc., 1844, Vol. 4, Doc. 5.)

A large slice of what is now Minnesota would thus have been included in the State, while a small corner of Northwestern Iowa would have been left out in the cold.

It at once appeared that there was decided opposition in Congress to granting the desired boundaries on the south, west, and north. The opposition to the southern boundary came from Missouri. As her claim dates back many years, it may be well to consider it before taking up the discussion in Congress.

The Constitution of the State of Missouri defined her west-



ern and northern boundaries as follows: "A meridian line passing through the middle of the mouth of the Kansas River, where that river empties into the Missouri \* \* \* to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line correspond with the Indian boundary line, thence east from the last point of intersection along said parallel of latitude to the middle of the channel of the main fork of the river Des Moines, etc."

The Indian boundary line was one run in 1816 by John C. Sullivan to settle the boundaries of lands ceded to the United States by the Osage Indians, and is frequently referred to as "Sullivan's line." The description was doubtless supposed to be definite at the time, but the phrase "the rapids of the river Des Moines" proved sufficiently ambiguous to be the pretext for a long and angry dispute between Missouri and Iowa. The whole controversy, when stripped of all extraneous matter, seems to turn almost entirely on the question whether the framers of the constitution intended to designate certain rapids in the Mississippi River opposite the mouth of the Des Moines, which the early French settlers called "*Les rapides de la riviere Des Moines*" literally translated—"The rapids of the river Des Moines," or whether they meant rapids in the Des Moines, which as some claimed were to be found at the great bend near where Keosauqua now stands.

In 1831 Missouri added to the memorial regarding annexation of territory on her western border the request that Congress take measures for settling her northern boundary line, saying, it "is vague and indefinite," and "we are not informed of the precise location of the rapids of the river Des Moines."

(See Ex. Doc. 1830-31, Vol. 2, No. 71.)

Gov. Miller, who was a member of the Constitutional Convention, vetoed the memorial on the ground that he was confident the northern boundary was run and marked by Sullivan, though the record could not then be found.

(Reports of U. S. Com. 1841-2, Vol. 4, No. 791.)

The memorial was passed over his veto, but Congress took no action. In 1837 Joseph C. Brown under the authority of the State Legislature of Missouri made a survey. Meantime the Territory of Wisconsin had been organized and viewed with alarm the prospect that Brown's line, considerably farther north than Sullivan's, might be adopted as the boundary and thus encroach upon her limits. Accordingly her delegate in Congress was instructed to use his best exertions to secure the appointment of commissioners to settle the boundary. The claim was put forth in her Legislature that Missouri had accepted the old Indian boundary line without complaint till certain persons interested in the half-breed reservation between the Des Moines and Mississippi hoping to extend their territory, asserted that the rapids were *in* the Des Moines farther north than those in the Mississippi; and that then Missouri took up the claim and provided for the survey as stated above.

Congress authorized the appointment of commissioners, but by that time it had ceased to be any concern of Wisconsin, for the part of her territory west of the Mississippi had been organized as the Territory of Iowa.

The U. S. Commissioner, Albert Miller Lea, made a long report accompanied by several important documents.

(Ex. Doc., 1838-9, Vol. 10, No. 128.)

From this report it appears that Sullivan's line, beginning in the Missouri River opposite the mouth of the Kansas ran one hundred miles north then—*according to the field-notes*—due east one hundred and fifty and one-half miles to the Des Moines River, but for want of proper corrections of the needle, its course was really, as shown by later surveys, north of east by about  $2\frac{1}{2}^{\circ}$ . Lea discussed four possible lines.

First—Sullivan's line, which has in its favor the almost uniform reference to the point one hundred miles north of the mouth of the Kansas River as the northwest corner of Missouri. On the other hand it is an oblique line and the law calls for a parallel of latitude. Moreover it does not pass through

any rapids of the Des Moines, and hence is not a legal line though from its long use as such, it might be proper to establish it by legislation.

Second—The parallel of latitude passing through the old northwest corner. It is not known whether this line passes through any rapids.

Third—The parallel passing through the Des Moines rapids in the Mississippi. The argument for this is that the rapids are the point of paramount importance in determining the boundary as established by the constitution and that by general notoriety the rapids in the Mississippi were known by the name given in the description.

Fourth—The parallel passing through the rapids in the Des Moines near the Great Bend. This was the line surveyed by Brown in 1837. In favor of this line he refers to letters of John Scott and Wm. Milburn, stating their recollections that these rapids were the ones intended by the framers of the State Constitution.

Lea's conclusion is, that the first line is equitable but not legal, the second line is neither equitable nor legal, and that the third and fourth both fulfill the conditions of the law.

Meantime the Legislature of Missouri had declared Brown's line the northern boundary of the State, and the authorities of Clark county undertook to levy taxes in the adjacent county of Van Buren, Iowa. These attempts were resisted, proclamations were issued, and troops called out on both sides, but no blood was shed and the militia was soon disbanded.

(Ex. Doc. 1841-2, Vol. 3, Doc. 141.)

Subsequent attempts at legislation accomplished nothing, and when Iowa framed her constitution in 1844 she demanded Sullivan's line for her southern boundary. Missouri at once protested in a long memorial.

(Ex. Doc. 1845-6, Vol. 10, No. 104.)

Congress finally left the matter to the decision of the Supreme Court. The unanimous opinion of the judges was in



favor of the old Indian line, and they appointed commissioners by whom the line was run and marked with iron pillars at intervals of ten miles. The final settlement of the matter was at the December term, 1850, long after the admission of the State.

(Howard's Reports, Vols. 7, p. 660 & 10, p. 1.)

Coming back now to the time when Iowa applied for admission under the constitution of '44, we find the House Committee on Territories reported a bill for her admission with the desired boundaries, on the ground as stated by Mr. Brown, of Tennessee, the chairman of the committee, that "the people of Iowa, were there, had settled the country, and their voice should be listened to in the matter."

(Globe, Vol. 14, p. 269.)

Mr. Duncan, of Ohio, moved an amendment which, if adopted, would have made the boundary thirty to fifty miles farther north than it is at present, but would have reduced the width of the State by more than one-third. Over this amendment the controversy began. The chief speaker in its favor was Mr. Vinton, of Ohio.

(Globe, Vol. 14, App. p. 330, seq.)

He spoke at some length of what he characterized as "the unwise and mistaken policy" which had prevailed in the formation of western states by which the valley of the Mississippi had been deprived "of its due share in the legislation of the country." He thought the act limiting the number of states formed from the Northwest Territory to five a "flagrant injustice," in compensation for which a series of small states ought to be formed on the west bank of the Mississippi. He also argued at great length and very ably that in the long run the control of the government might be more safely entrusted to the West than to any other hands. The main points of his argument were, that the West had no prejudices against either the North or the South, that the whole body of grain-growing states, slave-holding and non-slave-holding, had an intermediate position between the exclusive interests



of the North and the South, and hence were deeply interested in the prosperity of both: that the West had also a middle ground between the two social systems—the one based on free, and the other on slave labor; finally, and this is the point he labored most earnestly to impress, that in this region there was growing up a conservative power which would be strong enough “to hush into submission the elements of dissension.” In the light of subsequent events one or two passages of his speech have an interest, not otherwise belonging to them, perhaps. “The people of the great valley will forever be conservative whoever may be otherwise, not because of their superior patriotism, virtue, and love of country, but simply because their position forces them to be so.”

Again—“If the attempt at separation be made at North or South—in Massachusetts or South Carolina—it will be put down by the hand of this great central power, impelled to action by an overruling necessity. It must put it down, or lose its own independence, and its people become hewers of wood and drawers of water for the people of the new empires at the North and the South.”

His objection of course to the admission of new states of large area at the West was that, by that means that region would be deprived of a just share of power in the Senate.

Mr. Belser, of Alabama, objected to some of Mr. Vinton's statements as “designed to cater to the objections of those who were already sufficiently vindictive in their opposition to the South.” He also reminded him that the equal voice of each State in the Senate without regard to population, wealth or dimensions, was expressly contemplated by the framers of the constitution, and that it was in the House that the people were to be proportionately represented. Moreover he asserted that, “this thing, called the balance of power, had not made the profound impression at the South that seemed to be supposed.”

(Globe, Vol. 14, App. p. 216.)

Some further discussion took place, developing nothing

particularly new however, and then the amendment of Mr. Duncan slightly altered in form was passed.

The Senate debate was almost entirely in regard to Florida which was to be admitted with Iowa. In the course of it, Rufus Choate said that since the annexation of Texas conditions had changed; that he could cheerfully give his hand to Iowa but not to Florida.

(Globe, Vol. 14, p. 379.)

The bill however passed the Senate in the form in which it came from the House. After the rejection of the terms of admission by the people of Iowa, Mr. A. C. Dodge, the Territorial delegate, introduced a bill (Dec. 19, 1845,) to amend so much of the act as referred to the boundaries of Iowa. The principal debate on this bill took place June 8, 1846.

(Globe Vol. 15, p. 938, seq.)

Rockwell, of Massachusetts, Rathbun, of N. Y., and Vinton, of Ohio, were its most active opponents. Mr. Rathbun entreated the House to "remember that one of the chief ingredients in our safety was to maintain a due proportion and balance between the power of the Northern and Southern States.

He objected to "having territory formed into large states at the North and small ones at the South."

Mr. Vinton did not doubt that, if Congress would "let the people of Iowa cut and carve for themselves, they would have their State extend to the mouth of the Columbia." His speech was largely a repetition of the arguments he had used in the previous Congress, though he criticised Mr. Rathbun for representing it to be a question between the Northern and Southern States.

It would be interesting to know in this connection on what grounds the people of Iowa, afterwards so ready to assist in preserving the Union, resisted the efforts of the Ohio gentleman to use them in maintaining the balance of power. The political views of the Democratic majority in the Territory may have had something to do with it. But the commercial

importance of the Missouri River was probably the most influential factor in determining their action. The fact that they receded from the northern boundary at first proposed, but obstinately clung to the Missouri and the Sioux as their western boundary seems to indicate this. The speech of Mr. Dodge also points in the same direction. He was quite sarcastic in his reply to Mr. Vinton and Mr. Rathbun. To quote his language: "It was most unfortunate for us, sir, that the bill for our admission came before this House when gentlemen from a certain section of the Union, however much they may attempt to deny the fact, were smarting—ay, almost agonizing—under the then recent annexation of Texas. In their phrensy to preserve what they regarded as the balance of political power between the slave and non-slave-holding states, they were prepared to do almost anything, to override the deliberately considered report of one of the most respectable committees of the House, and to vote in favor of State lines, of the propriety and expediency of which they knew almost nothing."

In favor of the western boundary he said, "Looking to a connection with the Pacific Coast and the Asiatic trade the boundary of the Missouri River is of the utmost importance to us, as it is to any system of internal improvements by which our Mississippi and Missouri towns are to be connected."

He also stated as a serious objection to the boundaries established by the previous Congress that the Des Moines, capable of being made navigable for several hundred miles, and passing through a country of unsurpassed fertility, already becoming densely inhabited, would thereby be cut in two. In concluding the address he admonished the House that "if the amendment of the gentleman from Ohio should prevail they might as well pass a bill for our perpetual exclusion from the Union. Sir, the people of Iowa will never acquiesce in it."

The bill as finally passed accepted the boundaries proposed in the constitution of '46, practically the same as those of '44,



except on the North, where the line was  $43^{\circ} 30'$  instead of the Minnesota River.

Enough of the debate has been given, I think, to show that it was really one episode in the never-ceasing contest for the balance of power between the different sections of the Union.

Some ten years later, the State Legislature memorialized Congress for the addition of the delta of land between the Missouri and Sioux Rivers and south of  $43^{\circ} 30'$ . Although the Committee on Public Lands urged the passage of a bill making such addition it was never passed by the House.

(House Jour. 1856.)

The years following the admission of Iowa were years of "storm and stress." Great questions of national policy, involving indeed the very life of the nation, were vigorously, at times angrily, discussed on the floor of Congress, and some of them were fought out on the battle-field. The war record of the State is elsewhere written, but her Congressional record, so far as I know, has never been gathered from the dusty volumes in which it is buried amidst a mass of other material. To indicate briefly, and if possible, with perfect fairness, the views of her Congressmen—and incidentally and by inference, of her people, upon some of these great questions is all that can be attempted here.

On the subject of slavery and the various compromise measures which were undertaken, Iowa Congressmen always spoke with no uncertain sound, albeit there was a remarkable change in the tone in the course of a few years.

Speaking on the omnibus bill May 28, 1850, and claiming to represent the views of a majority of his constituents, Senator Dodge professed to be opposed to "slavery in the abstract," but said he should support it just as far as it formed a part of the constitution, and claimed that the Democracy of Iowa took their stand against the Wilmot Proviso during the Mexican War and had maintained that position ever since. He professed himself a warm "friend of the admission of California" and "willing and anxious for the passage of the

fugitive slave bill." On this last measure he said, "I can answer for my constituents that they are not negro-stealers, though they live right on the borders of a slave State. True, some of the Missourians did once come with their rifles to a certain Quaker settlement after some fugitive slaves and they got them."

(1st Sess. 31 Cong. p. 1085.)

Senator Dodge was probably never a stockholder in the underground railroad.

At the first session of the next Congress, Senator Jones presented some resolutions of the Iowa Legislature, setting forth that, "there has been a disposition in portions of the North and South to set at defiance the compromise measures of the previous Congress and that whatever may be the opinion of individuals as to said measures, it is the duty of all good citizens to carry them out in good faith, seeking their modification or repeal, if such should be necessary, in the manner contemplated in the constitution and the laws."

Senator Jones said he "was certain the resolution reflected the sentiments of the Democratic party and of a small portion of the Whigs of Iowa." The latter party, however, he said had declared for the Wilmot Proviso in county and state conventions. Representative Clark in presenting the same resolutions in the House said the people of Iowa "are no admirers of the special institutions of the South, but they are willing the people of the South should manage their own affairs in their own way."

(1 Sess. 32 Cong. p. 700.)

During the debate on the Kansas-Nebraska bill, Senator Dodge declared himself a "sincere believer in the doctrine of squatter sovereignty;" characterized the bill as "the noblest tribute which has ever yet been offered by the people of the United States to the sovereignty of the people;" denounced unsparingly abolition sentiments; said that Mr. Sumner "was wafted into the Senate upon an abolition tornado, which himself, Wendell Phillips and others succeeded in raising against

the compromise measures;" and claimed that, but for the feeling excited by abolitionism, emancipation measures would be set on foot in some of the Southern States. He also said that he and his colleague (Jones), and Senator Sturgeon, of Pennsylvania, were the only three Senators from free states who voted for the fugitive slave law. "Since then," said he, "my colleague has been returned to this body without an objection, so far as I have ever heard, from either Democrat or Whig, on account of the votes to which I have referred."

(1 Sess. 33 Cong., App. pp. 376-382.)

In the House Mr. Henn, the Democratic member, in the course of a speech in favor of the bill said that the Iowa Whigs had three times coalesced with the Abolitionists, and at their last convention had nominated state officers who were subsequently endorsed by the Abolition convention as "sound."

(1 Sess. 33 Cong., App. p. 885, seq.)

Mr. Cook, the Whig representative, published a speech in opposition to the bill which he had intended to give in the House. In this he says, that "the people of Iowa without distinction of party were prompt to endorse and acquiesce in the compromise measures of 1850, regarding them as a *final settlement* of the subject."

(1 Sess. 34 Cong., App. p. 669, seq.)

So far as I have been able to discover this was the first utterance of Whig sentiments on these questions from any Iowa congressman. But in 1856, Senator Harlan made a long speech on the bill to authorize the people of Kansas to form a constitution and state government in which he argues affirmatively two questions. First: Has Congress power to exclude slavery from the territories? Second: Ought this power to be exercised in the organization of territorial governments where slavery did not previously exist?

(1 Sess. 34, Cong. App., p. 270, seq.)

Senator Jones replying to this speech, asserts that Senator



Harlan's sentiments were not those of a majority of the people of Iowa.

(App. p. 405, seq.)

Perhaps he was right, but if so, either the sentiments of the people underwent a rapid change, or their State Legislature misrepresented their views, for in the following winter Congress received a joint resolution of the Iowa Legislature from which I make the following extracts:

“WHEREAS, under the Constitution of the United States, freedom is national and slavery is sectional; believing that the peace, welfare, and honor of the country imperiously require that our national domain shall be preserved free for free homes for free men; and believing it to have been the policy of our fathers, dictated by reason and exalted patriotism, to inhibit the extension of slavery and make freedom the law of our national progress. Therefore,

*Resolved*, That we are unqualifiedly opposed to the further extension of slavery within the jurisdiction or by the sanction of the general government, and insist that Congress shall exert all constitutional power to preserve our national territory free.”

(House Doc. No 38, 3 Sess. 34 Cong.)

The probability is that the popular views in Iowa, as elsewhere, were undergoing a change, for up to the Thirty-third Congress the Iowa delegation in both houses was Democratic—their views on the questions dividing the parties being perhaps sufficiently indicated by the citations previously made. In the Thirty-third Congress one Whig Representative appears, from which time other changes in the delegation are made till the Thirty-sixth Congress, in which all the Congressmen from the state were Republican. In the second session of this Congress, February 15, 1861, Mr. Vandever made a long speech in the House on the state of the Union, the occasion being the report of a committee on the Crittenden resolutions.

(2nd Sess. 36 Con., p. 939, seq.)

In this speech he argued against giving further guarantees

for the protection of slavery in the slave states, said the question of all other questions to be settled was the right of secession and appealing to history for evidence of the assertion declared that, "every particle of sovereignty any one of the original thirteen states has was derived through the Union and from no other source."

All through the war period, we find the members from Iowa supporting the measures for arming and emancipating the negroes. In the second session of the Thirty-seventh Congress both Senator Grimes (p. 1650, seq.) and Senator Harlan (App. p. 315, seq.), and in the third session Mr. Wilson (p. 680, seq.) made earnest pleas for the former measures. From Mr. Wilson's speech we learn that at the previous election Iowa supported the administration by a larger Republican majority than ever before, and Senator Grimes declares that, "the northwestern states will submit to no temporizing or compromising policy."

Senator Harlan in the course of his remarks made what seems a rather original argument for emancipation. It was in substance this: "The monarchies of Europe have never had any hearty friendship for the Republic and would be glad of any pretext for helping on its destruction. But they can not interfere with a pretext that will meet the approval of the moral sense of mankind." "They may induce the rebel states to adopt an act of emancipation as a condition of recognition. They can then exhibit the North to the world as persistent prosecutors of a war for dominion and against the interests of humanity."

During the same session of Congress (p. 1357, seq) speaking of the bill to abolish slavery in the District of Columbia he replied with much ability to those Senators who feared amalgamation or wholesale murder as a result of the measure.

In the third session of the Thirty-seventh Congress, Senator Grimes told the Senate what the people of Iowa thought of the Emancipation proclamation in the following words: "It came to us while I was canvassing the state preceding

the last October election, and it was hailed by loyal men of all parties who were anxious to put down the rebellion \* \* \* as one of the most efficient means of bringing it to a successful conclusion."

But while, so far as I can discover from the records, Iowa Congressmen agreed in favoring emancipation measures, there was division among them on the question of negro suffrage. In the first session of the Thirty-ninth Congress (pp. 222-242) Mr. Grinnell, Mr. Price, and Mr. Wilson argued in favor of the bill providing for negro suffrage in the District of Columbia, while Mr. Kasson made a long speech opposing the bill because it did not exclude rebels from voting, because he wanted an intelligence qualification, and because it made no provisions for registration.

From the debate between him and Mr. Price, I gather that at the previous election for Governor in Iowa, negro suffrage was an issue, and that the Democrats put up Col. Thos. H. Benton, Jr., a Republican opposed to the measure, who was defeated, though the Republican majority was cut down from 40,000 to 16,000. It also appears that at a meeting of Davenport citizens resolutions were passed endorsing all the Iowa delegation except Mr. Kasson. He, however, charged that the majority in Scott county, previously the banner county, was cut down from twelve hundred to fifty or sixty, apparently on this issue.

Before passing on the reconstruction period, I cannot forbear to quote a eulogy on Iowa troops which I find in the records although it hardly comes within the scope of this paper. It is to be found in a speech of Senator Harlan's on the battle of Pittsburgh Landing.

(2 Sess., 37 Cong., p. 2036.)

He was criticising Gen. Grant for his conduct at that battle, declaring that Iowa troops had no confidence in his fitness to command—the whole passage is curious reading when one remembers the enthusiastic admiration of Iowa and Iowa soldiers for the general in later years—and in the course of



his remarks he requested the secretary to read a paragraph from the *St. Louis News*, from which I quote the following sentences:

“Iowa is a young State, but it is the home of heroes. With the present war she has begun a war history that yields in splendor and honor to that of no state in the Union, and no country on the globe. \* \* \* \* Her soldiers are as modest as they are brave. \* \* \* \* But when the storm of blood begins they are the guiding and governing heroes of the tempest. \* \* \* \* When a perilous assault is to be made, somehow or other, there is always an Iowa regiment or the wasted shadow of an Iowa regiment to lead it. \* \* \* \* All our western troops have been heroes, but the Iowa troops have been heroes among heroes. The Iowa First, Iowa Second, Iowa Fourth, and Iowa Seventh, are bodies of men who would have given additional luster even to Thermopylæ, Marathon, Austerlitz, or Wagram, and all Americans may be proud of Iowa.”

From the debates on the reconstruction measures numerous citations might be made to show that Senators and Representatives from Iowa were opposed to receiving the rebel states without guarantees of their future loyalty and good faith in carrying out the Constitutional Amendments. But it is perhaps more important to note their views on the much discussed question of the exact status of the South after the secession acts. As early as the second session of the Thirty-seventh Congress in his speech on the militia bill (App. p. 315, seq.) previously alluded to, Senator Harlan argued that states could cease to exist “either through the madness of their own people or in consequence of the superior strength of their enemies,” citing as examples Sparta, Judea, Scotland, and Poland; said that the methods employed in suppressing insurrection assumed that the seceded states were no longer states, and they therefore must either be held and governed as territories, or their independence must be acknowledged. In his opinion, of course, the former method should be followed. Later on,

in the second session of the Fortieth Congress (p. 1072, seq) he supported the same view and also held that the governments formed under President Johnson's proclamation of March, 1865, were void, not having been made "in pursuance of any law, state or national, statutory or constitutional," and not being "the fruits of the voluntary action of the people of these states." He thought, however, that such illegalities and informalities might be remedied by act of Congress.

Mr. Loughridge also, in the second session of the Forty-first Congress (App. p. 28), said the people of the rebellious states even during the war were not out of the Union but out of their proper practical relations, that they had forfeited their rights, and that Congress had the power to make any law necessary to guarantee a republican form of government in those states.

At the same session (p. 441, seq.) Mr. Palmer spoke of "the failure to discriminate between the rights of a state which has by its voluntary crimes forfeited its equality of prerogative in the Union and a state which has not," as "a fundamental error."

So far as I am able to learn from the records, there was substantial agreement among the Iowa members on the main questions of reconstruction with some differences on matters of detail. Mr. Kasson, for example, believed that Congress had no right to establish martial law except where insurrection still existed.

(2 Sess., 39 Cong., p. 1105.)

The question of impeaching President Johnson occupies much of the time of the Fortieth Congress. Mr. James F. Wilson was one of the House Committee but did not favor the majority report, and made a speech Dec. 6, 1867, (App. p. 62, seq.) in which he argued at some length against some of the points made in the report. By the 24th of February, however (p. 1386, seq.), he became convinced that the case was clear through the violation of the tenure of office act. During the same month also, Mr. Allison, Mr. Loughridge,

and Mr. Price made speeches favoring the impeachment. (App. pp, 201, seq., 203, seq., 222, seq.) But on the trial of the case in the Senate Senator Grimes rendered his opinion that the President had not been guilty of an impeachable offense in either of the articles preferred by the House and, widely as he differed from his political views and measures, he could not be influenced by that fact in his vote; while Senator Harlan found that the acts of the president "were a clear violation both of the constitution and of the law \* \* \* performed deliberately and wilfully for the purpose of defeating the latter."

When the presidential election of 1876 was in dispute, Mr. McCrary, of Iowa, was a member of the committee that reported in favor of an Electoral Commission, and made a long speech for the measure.

(2 Sess., 44 Cong., pp. 932-935.

Mr. Pratt, however, opposed it (p. 1037) as creating a tribunal unknown to the constitution. He with Mr. Kasson and Mr. Tufts voted against it. Some expressions of opinion from the people of the state also found their way into the records. Representative Sampson in speaking on the bill says, "I have regretted to find that they [the Iowa people] were not more earnestly in favor of this measure; but the last word I received, a telegram on yesterday, has the true ring. It was "Hold the fort! Country before party! The people will sustain a peaceful solution! This was signed by men whose Republicanism is as strong and pure as exists in that Republican state which gave to Mr. Hayes whom we hope to see President by fair and righteous means, nearly 60,000 majority."

On the other hand, shortly after the passage of the bill, Senator Wright received and presented in the Senate the protest of Samuel Merrill and about one hundred other citizens of Des Moines. In doing so he said he thought they misapprehended the purport and scope of the act, and that he knew when he voted for it that the Republicans of Iowa would at first be almost unanimously opposed to the measure, since they believed there could be but one honest result.



The questions thus far considered were long ago settled so far as Congressional action could settle them. There remain others which are still to some extent "burning questions," on which I have consulted the records down to the Forty-eighth Congress. Most prominent of these is, perhaps, the tariff. As early as the third session of the Thirty-fourth Congress, resolutions of the Iowa Legislature were presented favoring the repeal of the duty on iron, on account of the expense of building railroads and the fact that the national revenue exceeded expenses.

(House Mis. Doc. No. 51.)

In the first session of the Thirty-sixth Congress (p. 2020, seq.) Mr. Curtis said that he wanted protection afforded business enterprises that would develop the latent resources of Iowa. and in the next Congress he objected to a bill for raising revenue by duty on such articles as tea, coffee, and coarse sugar, on the ground that it would impose much heavier burdens on the people of the northwest than of other sections, and declared that the tax would not be sustained by the country.

(1st Sess. 37 Cong. p. 175.)

In the next Congress Mr. Grinnell argued for a protective tariff, and said that if he understood the western states they did not intend in future simply to raise grain and send it to Europe, but meant "to build up a noble rivalry between the Mississippi and the Merrimac."

(1st Sess. 38 Cong., p. 2684, seq.)

It was in the second session of the Thirty-ninth Congress however, that Iowa Congressmen first made any extensive remarks on this subject. A bill for providing increased revenue from imports being under consideration Senator Grimes made a long speech in opposition to it. (p. 696, seq.) Evidently times change and opinions with them, for some passages in this speech would have been excellent campaign literature for Democrats to circulate with President Cleveland's free trade message. I quote a few sentences: "Two or three large manufacturing interests in the country, not satisfied with the

enormous profits they have realized during the last six years are determined at whatever hazard to put more money in their pockets; and to this end they have persuaded some and coerced other manufacturing interests to unite with them in a great combination demand for what they call protection to American labor, but what some others call robbery of the American laborer and agriculturist. \* \* \* \* Mr. President, this mad-dog cry of 'free trade and British gold' passes by me like the idle wind. \* \* \* \* I have known nothing so alarming in the whole history of legislation in this country as the methods that have been adopted to secure the passage of this bill. The people have not asked for it \* \* \* it is solely demanded by the manufacturers of iron and a few wool agriculturists and speculators who call themselves the wool-growers of the country." Later in the same day Senator Kirkwood said he had listened with interest to the remarks of Senator Grimes, but had not determined how he should vote. He thought the tendency of the bill was to tax everything the people of Iowa used and to afford very little protection to anything they produced. It appears that he finally voted with Senator Grimes against the bill and said that he did so because he thought the tariff too high, not because he was opposed to a proper protection of manufacturing interests.

The remarks of the Representatives (pp. 1540-1657) are not quite so definite as those of the Senators, but they seemed to consider the bill, except in the matter of wool, more favorable to the East than to the West.

Mr. Grinnell made a speech (App. p. 147) favoring the protection of "chosen industries," especially wool.

Concerning the tax on tea and coffee, Mr. Loughridge said (2 Sess, 41 Cong. p. 2355 seq.) that it was a war tax which might be entirely abolished; that it was a *per capita* tax, taxing the poor man more than the rich one. Again (p. 2381) he says, "my own impression is that whatever reduction there may be of taxes will be in favor of the wealth of the country and of capital instead of in favor of the poor man and in the interest of labor."

During the same session of Congress, Mr. Allison made a long speech (App. p. 190 seq.) which he probably would be unwilling to subscribe to to-day, so true is it that thinking men are forced at times by argument, by the logic of events, or by some subtler agency to change their views. In this he expressed the opinion that generally the tariff adds to the cost of manufactured articles, said the tariff of '46, though confessedly a tariff for revenue was so far as regards all the great interests of the country as perfect a tariff as we have ever had, and proposed a reduction of twenty per cent on all the leading articles. He also said the duty on wool and woolens though not an intentional fraud acted as a fraud on the great body of the people. As to the effect of high duties, he said, "I warn those who so pertinaciously insist on a retention of these high duties upon necessary articles that they only hasten the time when a more radical change will be made in our tariff laws." Again, (p. 233) "I say it is an injustice to the great body of the people for the manufacturers \* \* \* \* \* to insist upon a continuance of these exorbitant rates of duty and to denounce men who are against them as in favor of free trade, when the gentleman knows as do all those men that such a thing as free trade is impossible in this country."

Still another Iowa man, Mr. Cotton, argued against a tariff for protection, (2nd. Sess. 42nd. Cong. p. 1914 seq.) and said that the requests of memorialists praying for it, were "nothing less than requests that Congress should aid them to obtain better prices than they otherwise could," and he did not believe manufacturers who merited success needed any such rates.

In the Forty-third Congress Mr. Allison and Mr. Kasson favored a duty on flax in the interests of western farmers.

(1st. Sess. 43d. Cong. pp. 4368 and 4370.)

They said under the stimulus of such a duty the farmers formerly began its culture, but Congress suddenly cut off the duty, since which it had been raised only for seed. Their claim was that it was simple justice to the farmers to restore the duty. Mr. Kasson said (p. 5402) that he had letters



showing that nearly ninety flax-mills went out of existence in consequence of its being placed on the free list. On the general subject of the tariff Mr. Kasson expressed himself as follows: "My whole study in the adjustment of the tariff question is so to arrange it that we do not prohibit the introduction of any article and do not prohibit the manufacture in America of that same article if it is within our power to manufacture it." (p. 4318.)

In the first session of the Forty-seventh Congress he made a long speech favoring protection but said he thought there was common consent that there should be revision. He expressed the opinion, however, that the politicians in Congress, with rare exceptions, had not sufficient practical acquaintance with the industrial interests of the country to deal with the question properly, and that a commission of experts was desirable. (pp. 2348-2355.)

In the same Congress, Mr. Carpenter expressed himself as opposed to sudden or radical changes in the system under which industries had grown prosperous. (p. 2741.)

Mr. Dering also spoke on the subject, saying that he believed in "giving reasonable protection to American productions and in encouraging and sustaining our home industries especially those which furnish employment for labor and tend to reduce prices through an increase in the supply of manufactured articles, but he did not "believe in running mad on protection," thought the iron interest had been too exacting, and that any considerable tax on fence wire and lumber which were indispensable to western farmers, would be a discrimination in favor of the few against the many, and said he should vote to put them and sugar very nearly on the free list.

Another important and much discussed question is the Currency. The members from Iowa with substantial unanimity favored the redemption of the public debt in coin, the resumption of specie payment as rapidly as might be safely done with due regard to the business interests of the country, and the issue of nothing but honest money. In the third session of

the Fortieth Congress, Mr. Price put himself on record as supporting the bill to strengthen the public credit and to pledge the faith of the United States for the redemption of the notes in coin. (p. 1882.)

Mr. Wright in the Forty-second Congress, (3d. Sess. p. 1105) and Mr. Loughridge in the Forty-third, (1st. Sess. App. p. 215 seq.) expressed themselves as believing that the country needed more money rather than contraction, and the latter gentleman thought a sufficient circulation would be the speediest road to specie resumption and the best guarantee of the public credit.

Mr. Kasson said he had a letter from a farmer in his district "recommending him not to vote for a single measure looking to the depreciation of paper," and he expressed himself strongly in the same direction.

(43 Cong. 1st. Sess. pp. 2965-2967.)

Mr. Cotton said he would "not favor having the Government engage in any financial operations which he would condemn as impolitic in an individual," \* \* \* "would not have the Government break any of its pledges," and again, "in legislating upon the currency nothing should be done to impair its credit." He was "opposed to any severe measures to bring about specie resumption" but thought "we should face steadily in that direction."

(43 Cong. 1st. Sess. pp. 2590-2593.)

Mr. Sampson, while thinking the best possible plan for resumption had perhaps not been adopted, declared that resumption was not the cause of hard times, but that they were rather due to the "enormous indebtedness, national, state, municipal, corporate, and individual," to speculation, extravagance, and misdirection of energies, all growing out of the war. The remedy he proposed was "rigid public and private economy, lightening taxation as much as possible, encouragement and protection to useful and legitimate employment of both labor and capital, very gradual and steady reduction of indebtedness \* \* \* and an abandonment of the theory that

we can make absolute money out of paper that will wipe away our national indebtedness."

(1st. Sess. 45 Cong. pp. 498-500.)

At the same session, Mr. Burdick opposed the repeal of the resumption act (App. p. 49 seq.) though he was willing to vote for an extension of time. In his view the cause of hard times was that money did not circulate freely enough, as business men being timid were contracting their business.

Mr. Cummings (App. p. 7) took a similar view and thought it best to set vigorously about the coinage of silver and to postpone action upon the date of resumption.

Mr. Price argued that contraction of the currency had not arisen from resumption but from excessive taxation of the national banks, and hoped Congress would keep its promise of resumption. (pp. 275-280.)

During the third session of the same Congress (p. 1788) he endorsed remarks made by Mr. Garfield to the effect that if Representatives had sense and honesty enough to let the currency alone we should be in a better condition financially than by any other measures.

Mr. Cummings also, speaking in favor of the resumption policy of the Republican party and against "fiat money" thought it best to cease tinkering with the currency.

When the question of remonetization of silver was discussed in the second session of the Forty-fifth Congress, Senator Allison, and Representatives Burdick, Price, and Dering all spoke in favor of the measure, and all denounced in unmistakable terms the coinage of silver dollars of less value than gold dollars.

(Allison pp. 175 and 1055 seq., Burdick App. p. 40, Price pp. 344-348, Dering pp. 589-592.)

In the next Congress Senator Kirkwood speaking of the passage of the Allison bill, said, "the country owes a great deal to him for his sound sense and practical sagacity and good statemanship." (On resumption, etc.)

A different note was struck in the First Session of the Forty-



sixth Congress by Representative Weaver. He said that the act of 1869 preventing the payment of bonds in greenbacks was a public crime against labor. He favored it at the time being in the condition of Saul on his way to Tarsus, but had gathered light since. He said that silver was demonetized in the interests of capital, and that the resumption act was another step in the great scheme, "It was one of the trinity of infamies," and was passed for the purpose of increasing the bonded debt. And the plea of the Republican party that the Government ought to pay its honest debts was hypocrisy. (pp. 1197-1202.)

It is always difficult to determine just when and how the idea of legislation on any given subject originated. I cannot therefore assert positively that the credit of inaugurating the movement for the regulation of inter-state commerce belongs to Iowa or Iowa statesmen. It is, however, a fact that the matter was brought to the notice of Congress by Iowa men long before any definite action was taken. Representative Walden during the Third Session of the Forty-second Congress presented a joint resolution of the Iowa Legislature favoring Congressional action to correct alleged oppression of railroads in charging exorbitant rates. He supported the resolutions in an earnest speech saying that the protection of western farmers against the encroachments of railroads had become an imperative duty. (App. p. 63 seq.)

A few days later he spoke again on the subject, charging that the railroads discriminated against Iowa in favor of Chicago and eastern points and insisted that reform could not be too thorough or too speedy. (pp. 1100 and 1101.)

Early in the next Congress Mr. Loughridge introduced a bill which was referred to the Committee on Railroads and Canals. Evidently he was not satisfied that it was not promptly acted upon for a few weeks later he made a speech urging the matter upon the attention of Congress. He said there was no question of more importance than that of cheap transportation, but that the farmers of the west had suffered for

years from the extortions of railroad companies and that "the mutterings and rumblings of popular discontent \* \* \* \* \* among the people of the great Northwest were but the prelude of the coming storm \* \* \* \* \* the just complaints of the laboring class \* \* \* men who love their country and have given freely of blood and treasure to save this Government; men who will ask nothing but what is right, and who will not always submit to what is wrong.

(43 Cong. 1st. Sess. App. p. 6 seq.)

Mr. McCrary was a member of the Committee and it may possibly have been largely due to his exertions that a bill was finally reported. At least he made the report and argued at length, March 3, 1874, that Congress, had the right to regulate the matter and that it was expedient to do so.

(pp. 1941-1947.)

Messrs. Wilson, Pratt, and Cotton also made speeches in support of the measure.

(pp. 2044-2049, 2144-2146, 2422-2425.)

Mr. Wilson thought the solution of the question was looked for "with an interest second only to that which attaches to the question of human rights," and that the excessive rates charged for transportation had much to do with the depressed financial condition of the country. During the first session of the Forty-fourth Congress he spoke again (App. p. 278 seq.) complaining that Congress had not acted fairly in this matter, having failed to take any positive action.

The matter still dragged along, and Mr. McDill, in the Forty-seventh Congress (1st. Sess. p. 3083) said he was surprised that there should be any hesitation in taking some action, in view of the facts that there was such general complaint and that there could be so little danger in intrusting the matter to a Commission properly constituted.

These references cover the more important speeches made by Iowa men on the subject and are sufficient to show their urgency to obtain Congressional action.

Some other subjects, as for instance Civil Service Reform,

cannot be adequately treated without carrying the investigation to a later date than I had proposed to do in this paper.

The above survey, imperfect as it is, does not, I feel sure, misrepresent the views of Iowa members on any of the subjects taken up. Much fuller quotations might of course have been made at every point. Enough, however, have been given to show that Iowa has been represented by men who were not afraid to say plainly what they thought on national issues and often by those who could speak with vigor and ability. Indeed a careful reading of all the speeches must convince one that Iowa has no reason to be ashamed of her Congressional record as compared with that of other states.\*

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\*The Constitution had been adopted by the Convention. A majority of the delegates composing that Convention were like myself members of the Democratic party and the constitution in its provisions, save its boundry was entirely acceptable to the party leaders as well as rank and file. The office holders of that period and many who hoped to become such in the new state should the constitution be adopted, were earnest in the advocacy of its adoption by the people. The provision regarding the boundary however, which cut us off from Missouri River was objectionable to all the people. The opposition to this adoption was conceived and organized at Burlington. The late Lieut. Governor, Enoch W. Eastman, then a young lawyer and recently from the East was the originator of the Scheme which led to its rejection. He associated with him actively Captain Mills, who lost his life in the Mexican War and who like himself was a young and talented attorney of Burlington. The Hon. Shepherd Laffler, also of Burlington who had presided over the convention lent his aid in a limited manner for the same purpose.

The first two agreed to stump (as it was termed) the Territory, but finding they had an elephant on their hands, they invited my co-operation, assigning to me what was known as the second judicial district of the Territory, there being three districts at that time. I entered actively upon the work as did my associates. Our principal and leading argument against the adoption of the instrument was of course the boundry question, which we used to a good advantage and, as the result showed, successfully. The Constitution was rejected by the people by a majority vote of 421 in a total vote of 14,891, the election having occurred on "The First Monday in April next" which from the perpetual almanac I find to have been the 7th day of April, 1845, and not the 4th day of August, as printed in the Census of Iowa, page 410 of 1885. *Extract from letter of Hon. T. S. Parvin to President J. L. Pickard of the State Historical Society.*







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